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2 **UNITED STATES DISTRICT COURT**
3 **NORTHERN DISTRICT OF CALIFORNIA**
4 **SAN FRANCISCO DIVISION**

5 IN RE: 23ANDME, INC., CUSTOMER
6 DATA SECURITY BREACH LITIGATION

7 Case No.: 3:24-md-3098

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10 **[PROPOSED] ORDER GRANTING**
11 **MOTION TO INTERVENE AND IN**
12 **OPPOSITION TO PRELIMINARY**
13 **APPROVAL OF CLASS**
14 **ACTIONSETTLEMENT**

15 Judge: Hon. Edward M. Chen
16 Date: November 14, 2024
17 Time: 1:30 p.m.
18 Courtroom: 5, 17th Floor

**PROPOSED ORDER GRANTING MOTION TO INTERVENE AND IN OPPOSITION
TO PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**

Upon consideration of the Notice of Motion, Motion to Intervene, and the Memorandum in Support thereof, the Court finds that Intervenors Laura Block, Joel Davne, Aaron Hodges, and Joseph Jarrell (collectively, “Intervening Claimants”), have stated a valid basis for intervention. Intervening Claimants also request modification of the proposed class definition to exclude all arbitration claimants or alternatively allowing the Intervening Claimants to opt-out through their retained counsel and order briefing on the issues of whether (i) this court has jurisdiction given the application of the FAA to 23andMe’s enforceable arbitration provision; and (ii) whether 23andMe should be compelled to immediately proceed to arbitration.

Accordingly, it is **ORDERED** that the Motion to Intervene is **GRANTED**. In addition, Intervening Claimants' request to modify the Settlement Class definition to exclude arbitration claimants is **GRANTED** and their request for leave to file briefing regarding the arbitrations **GRANTED**.

Dated:

EDWARD M. CHEN
United States District Judge